THE LEGAL FRAMEWORK FOR ACQUIRING TURKISH CITIZENSHIP: A COMPARATIVE ANALYSIS OF INVESTMENT, RESIDENCY, AND MARITAL ROUTES

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Location: Ankara, Turkey

Date: January 2026

Field: Administrative Law / Citizenship Law

ABSTRACT

This paper examines the legal mechanisms for acquiring Turkish citizenship under the Turkish Citizenship Law No. 5901. While the principle of *jus sanguinis* (right of blood) remains the primary basis for citizenship by birth, recent amendments have significantly expanded the scope of *naturalization*, particularly through investment schemes. This study provides a comprehensive overview of the procedural requirements for Exceptional Citizenship (Investment), General Naturalization (5-Year Residency), and Citizenship by Marriage, analyzing the discretionary powers of the administration and the security clearance protocols required for foreign nationals.

Keywords: *Turkish Citizenship Law, Citizenship by Investment, Naturalization, Turkish Citizenship Lawyer, Residence Permit, Law No. 5901.*

1. INTRODUCTION

Citizenship is the legal bond between an individual and a state, granting rights and imposing duties. In the Republic of Turkey, this bond is governed primarily by the Turkish Citizenship Law No. 5901. Turkey's geopolitical significance as a bridge between Europe and Asia has made it an attractive destination for foreign investors and expatriates. Consequently, the legal pathways to citizenship have evolved to accommodate economic policies while maintaining strict national security standards.

This paper outlines the three most prevalent methods for foreign nationals to acquire Turkish citizenship: Investment, Long-term Residency, and Marriage.

2. CITIZENSHIP BY INVESTMENT (EXCEPTIONAL CITIZENSHIP)

Under Article 12 of Law No. 5901, the state reserves the right to grant citizenship to individuals who contribute significantly to the country's economy, culture, or social life. This is defined as "Exceptional Citizenship."

The most common application of this article is the **Citizenship by Investment (CBI)** program. According to the Presidential Decree, foreign nationals may acquire citizenship by:

- Purchasing real estate worth at least **$400,000 USD** with a 3-year restriction on sale.
- Depositing **$500,000 USD** in a Turkish bank for 3 years.
- Creating employment for at least 50 people.

This route is considered the fastest administrative pathway, bypassing the standard residency duration requirements, provided the investment is certified by the relevant ministries (e.g., Ministry of Environment, Urbanization and Climate Change).

3. GENERAL NATURALIZATION (RESIDENCY ROUTE)

General Naturalization (Article 11) is the traditional pathway for foreign nationals who have integrated into Turkish society. Unlike the investment route, this method requires a demonstrated "intent to settle."

Key Requirements:

- **Continuous Residency:** The applicant must have resided in Turkey for **5 consecutive years** prior to the application.
- **Absence Limit:** The applicant must not have spent more than 12 months in total outside Turkey during this 5-year period.
- **Legal Basis:** The residency must be based on a valid permit (e.g., Work Permit or Immovable Property Residence Permit). Tourist residence permits generally do not qualify for the calculation of this period.
- **Language Proficiency:** A basic command of the Turkish language is required to ensure social adaptability.

4. CITIZENSHIP BY MARRIAGE

Marriage to a Turkish citizen does not grant automatic citizenship. To prevent "sham marriages," Article 16 of the Law stipulates a probation period.

Conditions for Eligibility:

- The marriage must have lasted for at least **3 years**.
- The couple must live in a family union.
- The foreign spouse must not engage in behavior incompatible with the marriage union.

The administration conducts a rigorous investigation to verify the genuineness of the relationship. If the marriage ends due to the death of the Turkish spouse, the condition of family unity is waived.

5. THE ROLE OF LEGAL REPRESENTATION IN ADMINISTRATIVE PROCEDURES

The acquisition of citizenship is not merely a bureaucratic formality but a complex legal procedure subject to the discretionary power of the Ministry of Interior. Errors in property valuation reports, miscalculation of residency days, or insufficient proof of family unity often lead to rejection.

Therefore, the oversight of a specialized **Turkish citizenship lawyer** is critical in:

1. Ensuring the investment meets the exact regulatory criteria.
2. Preparing the applicant for commission interviews (language and integration checks).
3. Managing the appeal process in Administrative Courts in cases of rejection.

6. CONCLUSION

Turkish Citizenship Law offers diverse pathways tailored to investors, long-term residents, and spouses of Turkish nationals. However, regardless of the route chosen, the process requires strict adherence to Law No. 5901 and its implementation regulations. As Turkey continues to be a hub for international migration and investment, the legal framework is expected to remain dynamic, necessitating professional legal guidance for successful naturalization.

ABOUT THE AUTHOR

Aslan Duran Law Firm is a premier legal consultancy based in **Ankara, Turkey**. Founded by a former judge, the firm specializes in Administrative Law, Real Estate Law, and Citizenship procedures. The firm provides expert legal representation to international clients, serving as a bridge between foreign investors and the Turkish legal system.

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